

8-5-3 Abandonment -- Standards -- Prima facie evidence.

The fact that the grantee or holder of a lot or parcel in a cemetery has not used portions of the lots or parcels for the purpose of burial for more than 60 years shall be prima facie evidence that the grantee or holder had abandoned the lots or parcels if during that time the grantee or holder:

- (1) has not provided the care to the lots or parcels provided uniformly to all lots or parcels within the cemetery;
- (2) has not given to the municipality or cemetery maintenance district a written notice of claim or interest in the lots or parcels; or
- (3) has not kept the lots or parcels free of weeds or brush.

Amended by Chapter 123, 2002 General Session